

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/594,299  <b>Examiner</b> LONGBIT CHAI	<b>Applicant(s)</b> QIN ET AL.  <b>Art Unit</b> 2431
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**—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —**

THE REPLY FILED 1/15/2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- The period for reply expires 3 months from the mailing date of the final rejection.
- The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because

- They raise new issues that would require further consideration and/or search (see NOTE below);
- They raise the issue of new matter (see NOTE below);
- They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.

6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-61

Claim(s) withdrawn from consideration: \_\_\_\_\_

**AFFIDAVIT OR OTHER EVIDENCE**

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fail to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet

12.  Note the attached *Information Disclosure Statement(s)*. (PTO/SB/08) Paper No(s). \_\_\_\_\_

13.  Other: \_\_\_\_\_

/Longbit Chai/  
Primary Examiner, Art Unit 2431

Continuation of 11. does NOT place the application in condition for allowance because:

- o As per claim 1, Applicant asserts Felsher does not teach "an authorization module (provided by an authorization server) that includes a password fingerprint unit, an environment fingerprint sampling unit and a time fingerprint sampling unit, which are set in parallel, as well as the authorization unit" (Remarks: Page 2 / Last Para). Besides, Applicant argues "it is difficult to envision how an RSA SeureID hardware token could be included in the same authorization module as the other units of the authorization units that are specified in claim 1" (Remarks: Page 3 / 1st Para). Examiner respectfully disagrees with the following rationale:
  - o (a) As per Applicant's arguments "it is difficult to envision, as taught by Felsher, how an RSA SeureID hardware token could be included in the same authorization module as the other units of the authorization units that are specified in claim 1" (Remarks: Page 3 / 1st Para). Examiner respectfully disagrees because an RSA SeureID hardware token, as taught by Felsher, is used at the user / client side so that each user can be verified by the server and is not necessarily included in the authorization module which is provided at the server side, and thus it is irrelevant for the argument by Applicant according to the claim limitation as recited in claim 1.
  - o (b) Examiner notes an authorization module (provided by an authorization server) is merely considered as a subsystem entity that can provide access authorization to system secure data /files according to the system access rules and Felsher teaches an authorization server, according to the system access rules, providing the authentication units including a password fingerprint unit and a timed-password sampling and verification unit (see Felsher: Para [0354] and Para [0263]) as well as including an unique computer system fingerprint information sampling and verification unit, which is qualified as an environment fingerprint sampling and verification unit (see Felsher: Para [0087] / Last sentence and Para [0263]).
  - o (c) Examiner notes Hillhouse (U.S. Patent 6,052,468), as being incorporated by references (see Felsher, Para [0161]), teaches the authentication system can provide a parallel-setup of a plurality of authentication methods to fulfill the verifications (Hillhouse: Column 7 line 46 - 52, Column 5 Line 42 - 43, Column 8 Line 23 - 26 / 46 - 65, Column 1 Line 40 - 45 and Column 5 Line 35 - 40).